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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/173,040	10/15/1998	JOHN MADDALOZZO JR.	AT9-98-132	1186

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EXAMINER

PAULA, CESAR B

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/173,040

Applicant(s)

MADDALOZZO ET AL.

Examiner

CESAR B PAULA

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 0916.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-11 and 13-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8-11, and 13-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the request for reconsideration filed on 9/16/2002.

This action is made Final.

2. In the amendment claims 1, 3-6, 8-11, and 13-27 are pending in the case. Claims 1, 6, 11, 19, 22, and 25 are independent claims.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4, 6, 9, 11, 14, 16-17, 19-20, 22-23, and 25-26 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo (Pat. # 6,275,829, 8/14/01, filed on 11/25/97), in view of Cragun et al, hereinafter Cragun (Pat. # 6,324,553, 11/2701, filed on 11/26/97).

Regarding independent claim 1, Angiulo discloses a method for controlling the display of an HTML document (having text, and image(s)) by the selection of thumbnail(s) representation of the image(s) in order to display the image in a second HTML document (col.12, lines 20-67, and fig. 6-7). Angiulo fails to explicitly disclose: *halting displaying of said image file after halting displaying said image*. However, Cragun teaches the selective halting of images in HTML pages as desired by a user while the image is being displayed (col. 2, lines 1-37, fig.14A-B). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Angiulo and, Cragun, because Cragun teaches above the managing the display of images.

Claim 4 is directed towards a method for implementing the steps found in claim 1, and therefore is similarly rejected.

Claim 6 is directed towards an apparatus for controlling, and implementing the steps found in claim 1, and is similarly rejected.

Claim 9 is directed towards an apparatus for implementing the steps found in claim 1, and therefore is similarly rejected.

Claims 11, and 14 are directed towards a computer program product having computer program code for storing the steps found in claim 1, and therefore are similarly rejected.

Claims 16-17 are directed towards a method for implementing the steps found in claim 1, and therefore are similarly rejected.

Claims 19-20 are directed towards a computer program product having computer program code for storing the steps found in claim 1, and therefore are similarly rejected.

Claims 22-23 are directed towards an apparatus for implementing the steps found in claim 1, and therefore are similarly rejected.

Claims 25-26 are directed towards an apparatus for implementing the steps found in claim 1, and therefore are similarly rejected.

6. Claims 3, 5, 8, 10, 13, 15, 18, 21, 24, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angiulo, in view of Cragun, and further in view of Stone et al, hereinafter Stone (Pat. # 6,101,510, 8/8/00, filed on 1/29/97).

Regarding claim 3, which depends on claim 1, Angiulo discloses a method for controlling the display of an HTML document (having text, and image(s)) by the selection of thumbnail(s) representation of the image(s) in order to display the image in a second HTML document (col.12, lines 20-67, and fig. 6-7). Angiulo fails to explicitly disclose: *resuming displaying said image file after halting displaying said image file*. However, Stone teaches resuming the display of HTML pages by specifying the extent of the web page to be refreshed or reloaded (col. 6, lines 35-44). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Angiulo and, Cragun, because Stone teaches above the refreshing of the web page portion download.

Claim 5 is directed towards a method for implementing the steps found in claim 3, and therefore is similarly rejected.

Claims 8, and 10 are directed towards an apparatus for implementing the steps found in claim 3, and therefore are similarly rejected.

Claims 13, and 15 are directed towards a computer program product having computer program code for storing the steps found in claim 3, and therefore are similarly rejected.

Claim 18 is directed towards a method for implementing the steps found in claim 3, and therefore is similarly rejected.

Claim 21 is directed towards a computer program product having computer program code for storing the steps found in claim 3, and therefore is similarly rejected.

Claim 24 is directed towards an apparatus for implementing the steps found in claim 3, and therefore is similarly rejected.

Claim 27 is directed towards an apparatus for implementing the steps found in claim 3, and therefore is similarly rejected.

Response to Arguments

7. Applicant's arguments filed 9/16/02 have been fully considered but they are not persuasive. The Applicant notes that Cragun does not teach or suggest the independent halting of an image, while it is being displayed (p.10,L.11-15). The Examiner disagrees, because Cragun teaches the selective/independent halting of an image, while the computer is displaying it on the computer screen (c.2,L.1-37, fig. 14A-B). The image only stops being displayed only after the user has indicated the computer to do so.

Furthermore, the Applicant notes that Stone does not teach or suggest the independent halting of an image, while it is being displayed (p.10,L.29-31). The Examiner disagrees, because as it was indicated above, Cragun teaches the selective/independent halting of an image, while the computer is displaying it on the computer screen (c.2,L.1-37, fig. 14A-B). The image only stops being displayed only after the user has ordered the computer to remove the image from the screen.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. **Using Netscape, Ernst, Que, 1995, pp.50-51.**

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Art Unit: 2178

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Director United States Patent and Trademark Office

Washington, D.C. 20231

Or faxed to:

- (703) 746-7238, (for **After Final** communications intended for entry)
- (703) 746-7239, (for **Formal** communications intended for entry, **except formal After Final communications**)


Or:

- (703) 746-7240, (for **Informal or Draft** communications for discussion only, please label **"PROPOSED"** or **"DRAFT"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CBP

11/21/02


STEPHEN S. HONG
PRIMARY EXAMINER